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**COUNTY OF SAN LUIS OBISPO
DEPARTMENT OF PLANNING AND BUILDING
STAFF REPORT**

Tentative Notice of Action

MEETING DATE February 21, 2014 LOCAL EFFECTIVE DATE March 7, 2014 APPROX FINAL EFFECTIVE DATE March 28, 2014	CONTACT/PHONE Schani Siong, Project Planner (805) 781-4374	APPLICANT David and Debbie Lampe	FILE NO. DRC2013-00042
SUBJECT Hearing to consider a request by David and Debbie Lampe for a Minor Use Permit/ Coastal Development Permit to allow for the demolition of a 749 square-foot single-story single family residence and the construction of a new 1,433 square-foot two-story single family residence, a 217 square-foot attached garage and an approximately 390 square-foot solid deck. The project will result in the disturbance of approximately 3,000 square feet on a 3,000 square-foot parcel. The proposed project is within the Residential Single Family land use category, within the Small Scale Design Neighborhood, and is located at 19 19 th Street, approximately 120 feet northeast of Pacific Avenue in the community of Cayucos. The site is located in the Estero planning area.			
RECOMMENDED ACTION Approve Minor Use Permit/ Coastal Development Permit DRC2013-00042 based on the findings listed in Exhibit A and the conditions listed in Exhibit B.			
ENVIRONMENTAL DETERMINATION A Class 1 & Class 3 Categorical Exemptions were issued on January 23, 2014 (ED13-143)			
LAND USE CATEGORY Residential Single Family	COMBINING DESIGNATION Archaeologically Sensitive Area, Small Scale Neighborhood, Local Coastal Plan Area	ASSESSOR PARCEL NUMBER 064-232-007	SUPERVISOR DISTRICT 2
PLANNING AREA STANDARDS: Small Scale Neighborhood <i>Does the project meet applicable Planning Area Standards: Yes - see discussion</i>			
LAND USE ORDINANCE STANDARDS: Archaeologically Sensitive Area, Local Coastal Program <i>Does the project conform to the Land Use Ordinance Standards: Yes - see discussion</i>			
FINAL ACTION This tentative decision will become the final action on the project, unless the tentative decision is changed as a result of information obtained at the administrative hearing or is appealed to the County Board of Supervisors pursuant Section 23.01.042 of the Coastal Zone Land Use Ordinance; effective on the 10th working day after the receipt of the final action by the California Coastal Commission. The tentative decision will be transferred to the Coastal Commission following the required 14-calendar day local appeal period after the administrative hearing. The applicant is encouraged to call the Central Coast District Office of the Coastal Commission in Santa Cruz at (831) 427-4863 to verify the date of final action. The County will not issue any construction permits prior to the end of the Coastal Commission process.			
ADDITIONAL INFORMATION MAY BE OBTAINED BY CONTACTING THE DEPARTMENT OF PLANNING & BUILDING AT: COUNTY GOVERNMENT CENTER γ SAN LUIS OBISPO γ CALIFORNIA 93408 γ (805) 781-5600 γ FAX: (805) 781-1242			

EXISTING USES: Single family residence	
SURROUNDING LAND USE CATEGORIES AND USES: <i>North:</i> Residential Single Family/residences <i>East:</i> Residential Single Family/residences <i>South:</i> Residential Single Family/residences <i>West:</i> Residential Single Family/residences	
OTHER AGENCY / ADVISORY GROUP INVOLVEMENT: The project was referred to: Cayucos Community Advisory Council, Public Works, Building Division, Cayucos Fire, Cayucos Sanitary District, Paso Robles Beach Water Association, and the California Coastal Commission.	
TOPOGRAPHY: Fairly level	VEGETATION: Ornamental landscaping
PROPOSED SERVICES: Water supply: Paso Robles Beach Water Association Sewage Disposal: Cayucos Sanitary District Fire Protection: Cayucos Fire	ACCEPTANCE DATE: December 16, 2013

DISCUSSION

The applicant is proposing to demolish an existing 749 square-foot, single-story single family residence and construct a new 1,433 square foot two-story single family residence with a 390 square-foot solid deck and a 217 square-foot attached garage. The project is located on 19 19th Street, in the community of Cayucos. As outlined below, the proposed project is consistent with the Small Scale Neighborhood design standards of the Estero Area Plan as well as applicable Coastal Zone Land Use Ordinance standards and general plan policies.

PLANNING AREA STANDARDS:

Small Scale Neighborhood Design Standards:

Front Setback: For two story construction, the minimum front lower floor setback is 15 feet, the minimum front second floor setback is an additional 3 feet from the lower wall except open rail, uncovered decks are excluded from this additional setback and may extend to the lower floor wall. *Staff comments: The proposed new residence and open deck design is consistent with this standard. The lower floor setback is 15 feet from the front boundary. The second floor is setback approximately 8 feet from the lower floor wall. There is an open deck proposed on the second floor at the front of the residence that extends to the lower floor wall. The project is consistent with this standard.*

Side Setbacks: For two-story construction, the minimum side setback for the lower floor is 4 feet. On corner lots the street-side setback is 5 feet. For the second floor side setbacks, a minimum of 2 ½ feet greater than the lower floor setback is required. Thirty percent of the upper story sidewall may align with the lower floor wall provided it is within the rear two-thirds of the structure. *Staff comments: The proposed new residence design is consistent with this standard. The lower floor walls are setback 4 feet from the property side boundaries. The second floor side walls are further setback 2½ feet from the lower floor setback. There is approximately 5 feet of upper story sidewall that align with the lower floor wall at the rear two-thirds of the structure. The project is consistent with this standard.*

Rear Setback: Minimum rear setback shall be 10 feet. *Staff comments: The rear setback is 12 feet and complies with this standard.*

Height: Heights shall be measured from the center line of the fronting street at a point midway between the two side property lines projected to the street center line, to the highest point of the roof. Roof heights exceeding 22 feet but not exceeding the maximum height allowed (24 feet) shall have a roof pitch of at least 5:12. *Staff comments: The proposed height of the residence is 24 feet and the proposed roof pitch is 5:12. This project is compliant with this standard.*

Gross Structural Area: The parcel is 3,000 square feet. On parcels 2,900 to 4,999 square feet in size, new development or additions exceeding one story or 15 feet in height are limited to a maximum gross structural area (including the area of all garages) of 55% of the usable lot, 1,650 square feet. *Staff comments: The development is proposed at 1,650 square feet and is within the gross structural area standards. The project is consistent with this standard.*

Deck Rail Height: Rail heights for decks above the ground floor shall not exceed 36 inches. A maximum additional height of 36 inches of untinted, transparent material with minimal support members is allowable. *The project as proposed showed a deck on the second floor. The project is conditioned to meet the 42 inch California Building Code requirement and be consistent with this standard.*

Parking: At least one off-street parking space shall be enclosed with an interior space a minimum size of 10 feet by 20 feet, and a maximum of one required off-street parking space may be located in the driveway within the required front yard setback area. However, the minimum front yard setback from the property line to the garage is 20 feet if this design is used. *Staff comments: The proposed residence has one parking space in the covered garage and a second parking space in the driveway within a 20' front setback. This project complies with this standard.*

Driveway Widths: Driveway widths may not exceed 18 feet. *Staff comment: The proposed driveway is 10' 5" wide and complies with this standard.*

Streetscape Plan: A scale drawing showing the front exterior elevation (view) of the proposed project, and the front elevations of the adjacent buildings, is required as part of the application submittal. *Staff comment: The applicant submitted a streetscape plan, which is attached to this staff report.*

Topographic Map: A topographic map including the elevation of the fronting street, site contours, and existing and proposed drainage patterns is required as part of the application submittal. *Staff comment: The applicant submitted a topographic map, which is attached to this staff report.*

COASTAL ZONE LAND USE ORDINANCE STANDARDS:

Section 23.07.104(b): Archaeologically Sensitive Areas

The project site is located within a mapped Archaeologically Sensitive Area.

Staff Comments: A Phase I Archeology survey was prepared for the project site and no resources were found (Thor Conway Heritage Discoveries Inc., June 19, 2013).

Section 23.07.120: Local Coastal Program

The project site is located within the California Coastal Zone as established by the California Coastal Act of 1976, and is subject to the provisions of the Local Coastal Program.

COASTAL PLAN POLICIES:

Following is a brief list of the Coastal Plan Policies (discussion of specific applicable policies following):

Shoreline Access: N/A

Recreation and Visitor Serving: N/A

Energy and Industrial Development: N/A

Commercial Fishing, Recreational Boating and Port Facilities: N/A

Environmentally Sensitive Habitats: N/A

Agriculture: N/A

Public Works: ☒

Policy No(s): 1

Coastal Watersheds: ☒

Policy No(s): 7, 8, 9, 10 and 11

Visual and Scenic Resources: ☒

Policy No(s): 1 and 6

Hazards: N/A

Archeology: ☒

Policy No(s): 1

Air Quality: ☒

Policy No(s): 1

Public Works

Policy 1: Availability of Service Capacity. New development shall demonstrate that adequate public or private service capacities are available to serve the proposed development.

Staff comment: The proposed project would replace an existing single family residence with a new single family residence. It is conditioned to obtain a water and sewer service condition compliance letter prior to final inspection.

Coastal Watersheds

Policy 7: Siting of New Development. Grading for the purpose of creating a site for a structure or other development shall be limited to slopes of less than 20 percent.

Staff comment: The proposed project complies with this policy as the proposed project will take place on an existing lot of record in the Residential Single Family category and development is situated on slopes of less than 20 percent.

Policy 8: Timing of Construction and Grading. Land clearing and grading shall be avoided during the rainy season if there is a potential for serious erosion and sedimentation problems. All slope and erosion control measures should be in place before the start of the rainy season. Soil exposure should be kept to the smallest area and the shortest feasible period. *Staff comment:* The proposed project is consistent with this policy because it's conditioned to require an erosion and sedimentation control plan when grading is conducted or left in an unfinished state during the period from October 15 through April 15.

Policy 9: Techniques for Minimizing Sedimentation. Appropriate control measures (such as sediment basins, terracing, hydro-mulching, etc.) shall be used to minimize erosion and sedimentation. *Staff comment:* The proposed project is consistent with this policy

because the applicant is conditioned to apply Best Management Practices in the selection and implementation of site maintenance.

Policy 10: Drainage Provisions. Site design shall ensure that drainage does not increase erosion. This may be achieved either through on-site drainage retention, or conveyance to storm drains or suitable watercourses. *Staff comment: The proposed project is conditioned to comply with this policy by meeting all drainage plan and erosion control measures required the San Luis Obispo County Public Works department.*

Policy 11: Preserving Groundwater Recharge. In suitable recharge areas, site design and layout shall retain runoff on-site to the extent feasible to maximize groundwater recharge and to maintain in-stream flows and riparian habitats. *Staff comment: The proposed project is consistent with this policy because site grading has been designed to retain groundwater on-site to the extent feasible.*

Visual and Scenic Resources

Policy 1: Protection of Visual and Scenic Resources. Unique and attractive features of the landscape, including but not limited to unusual landforms, scenic vistas and sensitive habitats are to be preserved protected, and in visually degraded areas restored where feasible. *Staff comment: The proposed project complies with this policy because it complies with the Small Scale Design Neighborhood standards, is in character and scale with the surrounding neighborhood, and will not block existing scenic vistas.*

Policy 6: Special Communities and Small-Scale Neighborhoods. Within the urbanized areas defined as small-scale neighborhoods or special communities, new development shall be designed and sited to complement and be visually compatible with existing characteristics of the community which may include concerns for the scale of new structures, compatibility with unique or distinguished architectural historical style, or natural features that add to the overall attractiveness of the community. *Staff comment: The proposed project is consistent with this standard because it complies with all the standards for Cayucos Small Scale Design Neighborhoods.*

Archeology

Policy 1: Protection of Archaeological Resources. The County shall provide for the protection of both known and potential archaeological resources. All available measures, including purchase, tax relief, purchase of development rights, etc., shall be explored at the time of a development proposal to avoid development on important archaeological sites. Where these measures are not feasible and development will adversely affect identified archeological or paleontological resources, adequate mitigation shall be required. *Staff comment: The proposed project is consistent with this policy. A Phase I Archeology survey was prepared for the project site and no resources were found (Thor Conway Heritage Discoveries Inc., June 19, 2013).*

Air Quality

Policy 1: The County will provide adequate administration and enforcement of air quality programs and regulations to be consistent with the county's Air Pollution Control District and the State Air Resources Control Board. *Staff comment:* This project involves the demolition of a pre-1978 structure and is conditioned to contact APCD to determine the applicability of federal asbestos regulations.

COMMUNITY ADVISORY GROUP COMMENTS:

Cayucos Citizens Advisory Council- The Land Use Committee reviewed and supported the project as long as the plans conforms to the Community Small Scale Design Neighborhood Planning Area Standards and applicable CZLUO (December, 2013).

AGENCY REVIEW:

Public Works – No comments.

Cayucos Fire – No response

California Coastal Commission – No response

Air Pollution Control District – This project should contact APCD to determine applicability of federal asbestos regulations due to the demolition of a pre-1978 structure (Tim Fuhs, January 2, 2014).

Paso Robles Beach Water Association – This project will require a conditional sewer will-serve letter (Anita Rebich, November 21, 2013)

Building Department – per referral comments dated December 5, 2013:

1. All plans and engineering shall be prepared by a California Licensed Architect of Record unless exempted by the Business and Professions Code.
2. The project is subject to a construction permit as well as the currently adopted California Codes.
3. The project may require a full soils report for the design of all building foundations at the time of construction permit application submittal.
4. Whether or not a grading permit is required, the project shall conform to the "National Pollutant Discharge Elimination System" storm water management program regulations.
5. A fire sprinkler will be required.

LEGAL LOT STATUS:

The one parcel is Lot 13 in Block 9 of Paso Robles Beach No. 2, according to map recorded June 20, 1928 in Book 3, Page 108 of Maps and was legally created by deed at a time when that was a legal method of creating parcels.

Staff report prepared by Schani Siong and reviewed by Airlin Singewald and Bill Robeson.